

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-4 are pending in this application. Claims 1 and 3 are independent. Claims 1-4 are hereby amended. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification as originally filed and specifically at paragraph [0034] of Applicant's corresponding published application. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

### **II. CLAIM OBJECTIONS**

Claims 1 and 3 are hereby amended, thereby obviating the objections.

### **III. REJECTIONS UNDER 35 U.S.C. §112**

Claims 1-4 are hereby amended, thereby obviating the rejection under 35 U.S.C. §112.

### **IV. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-4 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 7,436,599 to Mihara (hereinafter, merely “Mihara’599”) in view of U.S. Patent No. 7,301,710 to Nishioka (hereinafter, merely “Nishioka”).

Claims 1-4 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,754,446 to Hagimori et al. (hereinafter, merely “Hagimori”) in view of Mihara’599.

## V. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“...wherein, when the zoom lens undergoes a lens barrel sinking operation, the reflection member is withdrawn in parallel from the optical axis, and the negative subgroup of the first groups is accommodated into a space thus vacated by the withdrawn reflection member.” (Emphasis added)

As understood by Applicant, Mihara’599 relates to an image pickup system inclusive of video cameras or digital cameras, the depth dimension of which is reduced by contriving an optical system portion thereof, e.g., a zoom lens.

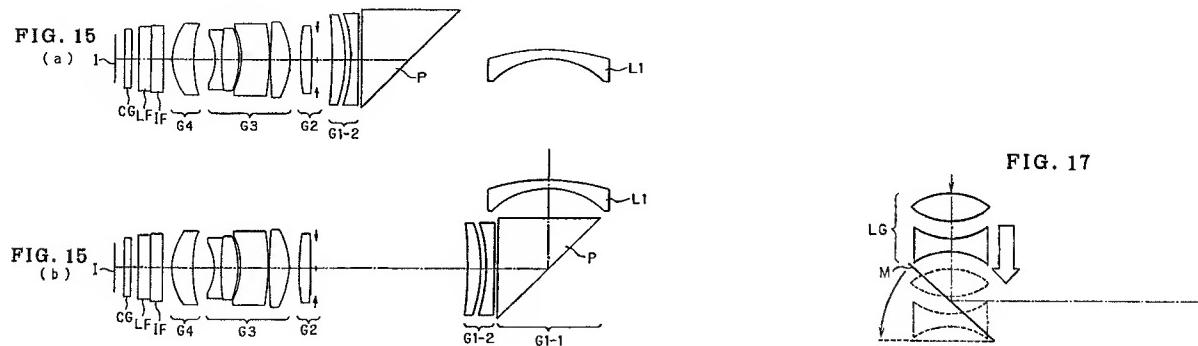
As understood by Applicant, Nishioka relates to optical system comprising optical elements having variable optical properties such as variable-focus lenses, variable-focus diffraction optical elements, variable deflection angle prisms and variable-focus mirrors, and an optical system including such optical elements.

As understood by Applicant, Hagimori relates to an imaging device which is a principal component of a digital camera and a camera incorporated in or externally attached to a personal computer, a mobile computer, a mobile telephone, a PDA (personal digital assistance) or the like.

Applicant submits that neither Mihara'599 nor Nishioka nor Hagimori, taken alone or in combination, that would teach or suggest the above identified features of claim 1. Specifically, none of the references used as a basis for rejection discloses when the zoom lens undergoes a lens barrel sinking operation, the reflection member is withdrawn in parallel from the optical axis, as recited in claim 1.

Specifically, the Office Action (see pages 6 and 9) asserts that Mihara'599 teaches the reflection member is withdrawn from the optical axis, and refers to column 9, lines 1-14, column 29, lines 29-36 and Fig. 17, which are reproduced as follow:

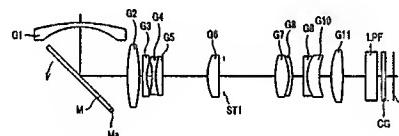
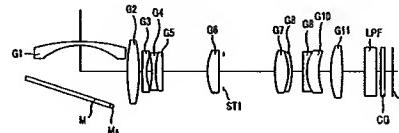
"FIG. 17 is a conceptual schematic of another embodiment of how to receive the optical path-bending zoom optical system in place when the reflecting optical element is formed of a mirror M. The mirror M is tilted at a position indicated by a broken line and a lens group LG located on the object side with respect to the mirror M is received in the resulting space, thereby achieving similar thickness reductions. Instead of tilting the mirror M, it may be relocated along the optical axis after bending, as shown in FIG. 15."  
(Mihara'599, col. 29, lines 29-36)



Thus, in Mihara'599, as shown in Fig. 17, the mirror M is tilted at a position indicated by a broken line, or as shown in Fig. 15, instead of tilting the mirror M, it may be relocated along the optical axis after bending.

However, in the present invention, paragraph [0034] of Applicant's corresponding published application describes withdrawal operation the reflection mirror, which is reproduced as follow:

[0034]...Moreover, while there is employed, in this zoom lens system, a configuration in which the reflection mirror M is rotated with one end side Ma thereof being as fulcrum so that the reflection M is withdrawn, the position of the fulcrum is not limited to one end side of the mirror. In addition, while there is employed, in this zoom lens system, the configuration in which the reflection mirror M is rotated with one end side Ma thereof being as fulcrum so that the reflection mirror M is withdrawn, withdrawal operation of the reflection mirror M is not limited to such implementation, but there may be defined a space for accommodating lens group of the object side relative to the reflection mirror M. For example, there may be employed a configuration to move the reflection mirror M in parallel to withdraw the reflection mirror M.

**FIG.14A****FIG.14B**

Thus, in the present invention, withdrawal operation of the reflection mirror M is not limited to rotation operation, for example, there may be employed a configuration to move the reflection mirror M in parallel to withdraw the reflection mirror M.

Thus, nothing has been found in Mihara'599 that teaches when the zoom lens undergoes a lens barrel sinking operation, the reflection member is withdrawn in parallel from the optical axis, as recited in claim 1.

Furthermore, this deficiency of Mihara'599 is not cured by the supplemental teaching of Nishioka nor Hagimori.

Therefore, Applicant submits that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claim 3 is also patentable.

## VI. DEPENDENT CLAIMS

The other claims are dependent from an independent claim, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

## CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

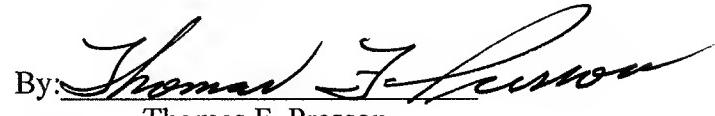
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In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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